HON'BLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.22137 of 2007

Date: December 24, 2007

Between:
Mohd. Muqtada Khan. … Petitioner

And

1. Tahsildar/Mandal Revenue Officer,
   Moinabad Mandal, R.R. District,
   Hyderabad and 2 others. … Respondents

* * *

ORDER:

It is the case of the petitioner that as against the orders passed by the first respondent-Mandal Revenue Officer, Moinabad, in Proceedings No.B/88 & 964/2001, dated 09.3.2002, the petitioner filed an appeal before the second respondent-Revenue Divisional Officer, Chevella Division, under Section 4-A of the A.P. Assigned Lands (prohibition of Transfers) Act, 1977 (for short 'the Act'), along with stay application in September 2007, but neither the appeal nor the stay application has been disposed of.

2. The appeal lies against the orders passed under Section 4 of the Act within 90 days. It is for the appellate authority to consider as to whether the appeal is maintainable or not and whether the appeal is filed within the stipulated time or not.

3. However, having regard to the facts of the case, the writ petition is disposed of directing second respondent to consider and dispose of the appeal petition and if the appellate authority comes to the conclusion that the appeal is in time and maintainable, then take up the stay application first and dispose of the appeal in a considerable

time. No costs.

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(V. ESWARAIAH, J)

Date: December 24, 2007.
BSB